

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DUSTON MILLER,

Plaintiff

Case No. 2:23-cv-00764-JAD-DJA

ORDER

v.

NEVADA DEPT. OF CORRECTIONS, et al.,

Defendants

I. DISCUSSION

On May 18, 2023, this Court issued an order granting Plaintiff until July 17, 2023, to either pay the full \$402 filing fee for a civil action or to submit a fully complete application to proceed *in forma pauperis* with all three required documents. (ECF No. 4). Plaintiff moves for an extension of time to file an application to proceed *in forma pauperis* because inmate accounting has not sent him the requested documents yet. (ECF No. 5).

The Court grants Plaintiff's motion for an extension of time until August 25, 2023, to either pay the full \$402 filing fee or file a fully complete application to proceed *in forma pauperis* with all three required documents.

The Court also grants Plaintiff's motion for a copy of his complaint (ECF No. 3).

II. CONCLUSION

It is therefore ordered that the motion for copies (ECF No. 3) is granted. The Clerk of the Court will send Plaintiff a courtesy copy of his complaint (ECF No. 1-1).


It is further ordered that the motion for extension of time (ECF No. 5) is granted.

It is further ordered that Plaintiff has **until August 25, 2023**, to either pay the full \$402 filing fee or file a fully complete application to proceed *in forma pauperis* with all three required documents: (1) a completed application with the inmate's two signatures on page 3, (2) a completed financial certificate that is signed both by the inmate and the prison or jail official, and (3) a copy of the inmate's trust fund account statement for the previous six-month period.

1 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
2 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
3 to refile the case with the Court, under a new case number, when Plaintiff can file a
4 complete application to proceed *in forma pauperis* or pay the required filing fee.

5 The Clerk of the Court is directed to send Plaintiff the approved form application to
6 proceed *in forma pauperis* for an inmate and instructions for the same.

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8 DATED this 25th day of July 2023.

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10 
UNITED STATES MAGISTRATE JUDGE